

~~Section 101~~

PATENT

ATTORNEY DOCKET NO.: 044574-5070-1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Thomas A. STEITZ *et al.*  
Application No.: 09/922,251  
Filed: August 3, 2001  
For: RIBOSOME STRUCTURE AND PROTEIN  
SYNTHESIS INHIBITORS

Group Art Unit: 2878  
Examiner: not yet assigned

Commissioner of Patents  
**BOX MISSING PARTS**  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed November 2, 2001.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document.

4. Small Entity Status

- ☒ Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

## 5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total months requested	Fee for extension	[fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00

Extension of time fee due with this request: \$. . . . .

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicant believes that no extension of time is required. However, in the event applicant has inadvertently overlooked the need for a petition and fee for extension of time, applicant hereby petitions for such an extension and requests that any fee therefor be charged to our Deposit Account No. 50-0310.

## 6. Fee Calculation

Basic Fee			
	Number Filed	Number Extra	at a Rate of (Lg./Sm.Entity)
Total Claims	- 20 =		\$18/\$9 each=
Independent Claims	- 3 =		\$84/\$42 each=
Multiple dependent claim(s), if any			\$280/\$140
SUB-TOTAL =			
Late Filing Surcharge Fee (37 C.F.R. § 1.16(e))			\$130/\$65 \$65.00
Extension Fee (37 C.F.R. § 1.17(a)(1)-(5))			
SUB-TOTAL = \$65.00			
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(i) and § 1.52(d))			\$130.00
Assignment Recordation Fee			\$ 40.00
TOTAL FILING FEE = \$65.00			

## 7. Fee Payment

- ☒ Enclosed is a check in the amount of \$65.00 representing the total fee due.
- ☐ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

## 8. Additional papers enclosed.

- ☐ Preliminary Amendment
- ☐ Submission of Formal Drawings with \_\_\_\_\_ sheets of drawings
- ☐ Claim for Priority
- ☐ Certified copy(ies) of priority document(s): .....
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, \_\_\_\_\_ references as listed
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Other: .....

Respectfully submitted,

MORGAN, LEWIS &amp; BOCKIUS LLP

*Erich E. Veitenheimer*  
Erich E. Veitenheimer  
Reg. No. 40,420

Sally P. Teng  
Reg. No. 45,397

Date: November 30, 2001

CUSTOMER NO. 09629

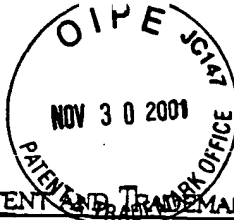
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UNITED STATES PATENT AND TRADEMARK OFFICE

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 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/922,251	08/03/2001	Thomas Steitz	RIB-001CP

 021323  
 TESTA, HURWITZ & THIBEAULT, LLP  
 HIGH STREET TOWER  
 125 HIGH STREET  
 BOSTON, MA 02110

CONFIRMATION NO. 2247

FORMALITIES LETTER



\*000000007018780\*

Date Mailed: 11/02/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/03/2001 JADD01 00000038 09922251

01 FC:205

65.00 OP

Attorney ROBERT D. PATT  
 Case 44574-5010-01  
 Due Date 1-2-02  
 Action missing parts  
 By PSB